IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 22ND FEBRUARY 2007 / 3RD PHALGUNA 1928

WP(C).No. 5975 of 2007(J)

PETITIONER:

SHINTO MATHEW, H.S.A. (ENGLISH),
IRITTY HIGH SCHOOL, P.O.KEEZHOOR, IRITTY,
KANNUR DISTRICT.

BY ADV. SRI.KRB.KAIMAL (SR.)
SRI.B.UNNIKRISHNA KAIMAL
SRI.V.MADHUSUDHANAN

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT OF KERALA,
GENERAL EDUCATION DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.

3. THE DISTRICT EDUCATIONAL OFFFICER,
THALASSERY.

4. THE MANAGER,
IRITTY HIGH SCHOOL, IRITTY P.O.,KEEZHOOR,
KANNUR DISTRICT.

BY GOVT. PLEADER SRI. A.J.VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.5975 OF 2007

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Dated this the 22nd day of February, 2007

JUDGMENT

Ext.P4 is challenged by filing Ext.P5 revision before the Government by the petitioner. In view of the fact that petitioner has already approached the alternate forum, I feel that the petitioner should be relegated to the pursuit of the alternate remedy. But learned Senior Counsel for the petitioner points out that pursuant to Ext.P4, petitioner will be relieved.

2. Heard Government Pleader also.

In such circumstances the writ petition is disposed of as follows:

There will be a direction to the first respondent to consider and take a decision on Ext.P5 in accordance with law after hearing the petitioner and any other affected party within a period of two months from the date of receipt of a copy of this judgment. In the meanwhile, if the petitioner moves an application for staying Ext.P4, appropriate orders in accordance with law shall be passed thereon within a period of five days from the date of receipt of the stay application. I leave open the contentions of the petitioner.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.